

PRESIDENT: Senator Cullan.

SENATOR CULLAN: Mr. Chairman and members of the Legislature. Senator DeCamp would you yield for a question please?

SENATOR DECAMP: Yes.

SENATOR CULLAN: I'm concerned about the constitutionality of this also. You're talking about consultation with an individual and not with approval. OK maybe you can straighten me out there.

SENATOR DECAMP: No, let me explain. We're not dealing with the minor child, that issue. We're dealing now strictly with one area and that is to what degree the father, I repeat, the father known, unknown, whatever, has to be involved in the abortion. I'm stating my personal opinion and my personal opinion, of course, revolves around the whole area of abortion of what is proper and what is improper. My personal opinion is that the father should definitely be involved. First of all that it should never occur. Second, the grief that the father should be involved. At the same time I must point out to you the constitutional problems in the particular area. I am afraid if we keep this in we jeopardize the entire... another major portion, a portion that under no circumstances would I want to see sacrificed and that's requiring consent for a 16 year old or under, requiring consultation by the doctor giving her information. I think it jeopardizes all these. Why do I say it jeopardizes all these? I say it jeopardizes all these because if somebody wants to test this bill in court, fine I'm all for it. There are other elements in the bill that are so critical that I want them to get beyond the first court they land in, the district court here or even the Nebraska Supreme Court. If somebody really wants to test this, I want it so finely honed and such a well-drawn tight bill that it can go to the U.S. Supreme Court and establish some new standards. I don't think it would be able to do it if we kept this particular portion in. I go back a couple of years ago when we first worked on this. You know how much I fought yesterday when Senator Burrows wanted to pull out viability issues and statement of intent, in other parts of the bill which I'm sure Senator Chambers will try to remove today, which I will violently oppose, these are things that I contend still offer potential in the future for the preservation of human life and I don't want them lost in the first court room that somebody goes into with this bill. Difficult as it is, I'm willing to take this one small portion out even though in conscience and in my belief I think I would like to see it in. It's the horns of a dilemma, so to speak. I want this bill solid and sometimes to do that you have to give a little. That's what I'm doing.

SENATOR CULLAN: Thank you very much Senator DeCamp. I don't particularly care for the amendment but I will have to agree with Senator DeCamp and Senator Chambers and urge you to adopt the amendment.

PRESIDENT: Senator Venditte.

SENATOR VENDITTE: Mr. President, members of the Legislature. The question of Senator DeCamp or Senator Chambers as I understand the amendment to read that in the part of Section 49 it will never be necessary to have father's consent, in terms of having the abortion done. Is that correct?